

224



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/056,674	01/25/2002	Marja Salmimaa	04770.00034	1021
22907	7590	11/18/2004		
BANNER & WITCOFF 1001 G STREET N W SUITE 1100 WASHINGTON, DC 20001			EXAMINER MISTRY, O NEAL RAJAN	
			ART UNIT 2173	PAPER NUMBER
DATE MAILED: 11/18/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/056,674

Applicant(s)

SALMIMAA ET AL.

Examiner

O'Neal R Mistry

Art Unit

2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 January 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This application has been examined.

Claims 1-25 are presented for examination.

Drawings

The Examiner contends that the drawings submitted on January 25, 2002 are acceptable for the examination proceedings.

Double Patenting

The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and, *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

Claims 1-3, 10-13, 21, 23 & 25 provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-3, 9-11, 14, 20, 24, & 29 of copending Application No. 09/966,042. Although the conflicting claims are not identical, they are not patentably distinct from each other because in respect to claims 1, 21, 23, & 25 to claims 1, 20, 24, & 29 of application 09/966,042 both claims discuss a method of displaying icons by receiving messages from a message source with in a near by area. Claims 1, 21, 23, & 25 however state a sorting method icon, which is not discloses in application 09/966,042. In respect to claim 2 to claim 2 of application 09/966,042 both claims discuss a calculating distance between first message source and mobile terminal. In respect to claim 3 to claim 3 of application 09/966,042 both claims discuss a calculating distance between second message source and mobile terminal. In respect to claim 10 to claim 9 of application 09/966,042 both claims discuss receiving icons from the message, which was sent by the message source. In respect to claim 11 to claim 10 of application 09/966,042 both claims discuss extracting characteristic from the message source. In respect to claim 12 to claim 11 of application 09/966,042 both claims discuss a step where the context categories are setup by the user preference. In respect to claim 13 to claim 14 of application 09/966,042 both claims discuss the location where the icon are display on the navigational bar.

This is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

Application: 10/056,674	Application: 09/966,042
-------------------------	-------------------------

<p>1. A method of grouping and displaying a plurality of icons that can be selected by a user from a display on a first mobile terminal, the method comprising:</p> <p>(a) receiving a plurality of messages from message sources;</p> <p>(b) sorting the plurality of messages into a set of groups in accordance with one or more characteristics associated with each of the plurality of messages and a first context category;</p> <p>(c) sorting the messages within each of the groups in accordance with one or more characteristics associated with each of the plurality of messages and a second context category;</p> <p>(d) associating an icon with each of the plurality of messages', and</p> <p>(e) representing the icons on the display in accordance with the sorting performed in (b) and (c).</p>	<p>1. (Original) A method of displaying a plurality of icons that can be selected by a user from a display on a mobile terminal, the method comprising the steps of:</p> <p>(a) receiving a plurality of messages from message sources',</p> <p>(b) comparing one or more characteristics associated with each of the plurality of one or more context values that are specific to the user of the mobile messages to terminal;</p> <p>(c) the mobile terminal;</p> <p>determining a proximity associated with each message source in relation to</p> <p>(d) associating an icon with each of the plurality of messages;</p> <p>(e) representing, in a priority section of the display, a first icon corresponding to a message having one or more characteristics that best match the one or more context values using a display format that is enlarged in relation to other icons in the priority section; and</p>
<p>2. The method of claim 1, wherein the first context category comprises distances between the message sources and the first mobile terminal.</p>	<p>2. (Original) The method of claim 1, wherein step (c) comprises calculating a physical proximity to the mobile terminal.</p>
<p>3. The method of claim 1, wherein the second context category comprises distances between the message sources and the first mobile terminal.</p>	<p>3. (Original) The method of claim 1, wherein step (c) comprises calculating a temporal proximity.</p>
<p>10. The method of claim 1, wherein (d) comprises extracting an icon from one of the plurality of messages.</p>	<p>9. (Original) The method of claim 1, wherein step (d) comprises extracting an icon from one of the plurality of messages.</p>
<p>11. The method of claim 1, wherein in (b) and (c) at least some of the characteristics are extracted from the plurality of messages.</p>	<p>10. (Original) The method of claim 1, wherein in step (b) at least some of the characteristics are extracted from the message.</p>
<p>12. The method of claim 1, wherein in step (b) at</p>	<p>11. (Original) The method of claim 1, wherein in</p>

least one of the context categories is set by the user of the first mobile terminal.	step (b) at least one of the one or more context values are set by the user of the mobile terminal.
13. The method of claim 1, wherein the icons are displayed in a navigation bar formed along at least a portion of a bottom of the display.	14. (Original) The method of claim 1, wherein the priority section comprises a navigation bar formed along a portion of a bottom of the display.
<p>21. A mobile terminal comprising:</p> <p>a display capable of displaying graphical icons;</p> <p>a user input device that permits a user of the mobile terminal to select one or more of the graphical icons displayed on the display; and</p> <p>a processor programmed with computer-executable instructions that, when executed cause the mobile terminal to perform the steps comprising:</p> <p>(a) receiving a plurality of messages from message sources;</p> <p>(b) sorting the plurality of messages into a set of groups in accordance with one or more characteristics associated with each of the plurality of messages and a first context category</p> <p>(c) sorting the messages within each of the groups in accordance with one or more characteristics associated with each of the plurality of messages and a second context category;</p> <p>(d) associating an icon with each of the plurality of messages; and</p> <p>(e) representing the icons on the display in accordance with the sorting performed in (b) and (c).</p>	<p>20. (Original) A method of displaying a plurality of icons that can be selected by a user from a display on a mobile terminal, the method comprising the steps of:</p> <p>(a) receiving a plurality of messages from message sources;</p> <p>(b) receiving a first profile containing context values that are specific to the user of the mobile terminal;</p> <p>(c) comparing one or more characteristics associated with each of the plurality of messages to one or more of the first profile context values;</p> <p>(d) determining a proximity associated with each message source in relation to the mobile terminal;</p> <p>(e) associating an icon with each of the plurality of messages;</p>
<p>23. A mobile terminal comprising:</p> <p>a receiving circuit that receives a plurality of messages containing information relating to a particular service that is potentially available to a user of the mobile terminal;</p> <p>a message storage area that stores the plurality of</p>	<p>24. (Original) A mobile terminal comprising:</p> <p>a user input device that permits a user of the mobile terminal to select one or more of the graphical icons displayed on the display; and</p>

<p>messages;</p> <p>a display unit capable of displaying graphical icons;</p> <p>a context matching function that:</p> <p>(a) sorts the plurality of messages into a set of groups in accordance with one or more characteristics associated with each of the plurality of messages and a first context category;</p> <p>(b) sorts the messages within each of the groups in accordance with one or more characteristic associated within each of the plurality of messages and a second context category and a display function that displays icons associated with the messages in a format determined by the sorting performed in (b) and (c).</p>	<p>a display capable of displaying graphical icons;</p> <p>a processor programmed with computer-executable instructions that, when executed, perform the steps comprising:</p> <p>(a) comparing one or more characteristics associated with each of a plurality of messages received from message sources to one or more context values that are specific to the user of the mobile terminal;</p> <p>(b) determining a proximity associated with each message source in relation to the mobile terminal;</p> <p>(c) associating an icon with each of the plurality of messages;</p>
<p>25. A computer-readable medium containing computer-executable instructions for causing a mobile terminal having a display to perform the steps of:</p> <p>(a) receiving a plurality of messages from message sources;</p> <p>(b) sorting the plurality of messages into a set of groups in accordance with one or more characteristics associated with each of the plurality of messages and a first context category;</p> <p>(c) sorting the messages within each of the groups in accordance with one or more characteristics associated with each of the plurality of messages and a second context category;</p> <p>(d) associating an icon with each of the plurality of messages; and</p> <p>(e) representing the icons on the display in accordance with the sorting performed in</p>	<p>29. (Original) A computer-readable medium containing computer-executable instructions for causing a mobile terminal to performing the steps of:</p> <p>(a) receiving a plurality of messages from message sources;</p> <p>(b) comparing one or more characteristics associated with each of the plurality of messages to one or more context values that are specific to the user of the mobile terminal;</p> <p>(c) determining a proximity associated with each message source in relation to the mobile terminal;</p> <p>(d) associating an icon with each of the plurality of messages;</p> <p>(e) representing, in a priority section of the display, a first icon corresponding to a message having one or more characteristics that</p>

(b) and (c).	best match the one or more context values using a display format that is enlarged in relation to other icons in the priority section; and
--------------	---

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 23 recites the limitation "determined by the sorting performed in (b) and (c)." in line 14. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.

4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 1-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dowling et al (U.S. Patent Number 6,522,875) in view of Shulman et al (U.S. Application 2001/00330664).

1. In regards to claim 1, 21, 23 & 25, Dowling shows geographical web browser that allows the user to navigate web application over the geographical area. The browser receives and sends incoming packets from regional message sources, which allows the user to view content being displayed only in the area. The browser has advance capabilities by filtering and sorting incoming data packets, by permitting the user to customize in the GUI what packets are desired. Another advance feature the portable web browser exhibits is the ability to navigate the user through traffic conditions and allow alternative routes depending on traffic congestion in real time. In addition, Dowling shows "(a) receiving a plurality of messages from message sources" (col. 4 lines 8-12, Dowling) [a mobile unit travels along a road and is exposed to a plurality of locally broadcast packets as the mobile unit enters into a local broadcast domain. A local broadcast domain includes the range of a transmitter that broadcasts data packets to mobile units within this range. When a packet of interest is received, information is automatically transferred via the first network connection and a web page or related application information is thereby accessed.]. This demonstrates that a plurality of

message are sent from message sources in a geographical area, (b) "sorting the plurality of messages into a set of groups in accordance with one or more characteristics associated with each of the plurality of messages and a first context category" (col. 4 lines 15-20, Dowling) [a packet filter is configured to selectively pass packets according to a predefined criterion. When a packet passes through the packet filter, a web site is automatically accessed.]. The packet filter is a forming of sorting information that is being received to the hand-held device. The sorting is preformed on the hand-held device, and packet filter is configured to display information only those characteristics are associated with user, and will create categories if plurality of packets are received in a geographical area, and (c) "sorting the messages within each of the groups in accordance with one or more characteristics associated with each of the plurality of messages and a second context category" (col. 4 line 21-27) [if a geographical web browser according to the present invention is currently set to a "movies" Internet site, when the mobile unit passes into an area with several movie theaters, the passed packet will include a pointer to the associated movie theaters' web pages.]. The examiner interprets that if the context category settings is set to movies, and when the user is in a regions where of movies are being displayed, the messages within each groups are sorted to display a set of movie theaters' website. Multiple categories can be set simultaneously; it can also be for hobbies and emergencies.

The difference between the claims and Dowling is the claims recites (d) "associating an icon with each of the plurality of messages", (e) "representing the icons on the display in accordance with the sorting performed in (b) and (c)", and in addition to claims 21 & 23 "a display capable of displaying graphical icons", "a user input device that permits a user of the mobile terminal to select one or more of the graphical icons displayed on the display".

Shulman shows a SmartIcon being display and a portable device after an information packet is received. The information packet may contain information for local region, and allows the icon to notify a user in a manner of blinking, flashing, and changing size depending on the priority of the message. The priority of the message is set by user preference in a graphical user interface. In addition, Shulman shows a (d) "associating an icon with each of the plurality of messages" (paragraph 49 lines 1-2) [FIG. 1d illustrates a configurable digital image that is displayed at time of message delivery to the LAS 120], and (e) "representing the icons on the display in accordance with the sorting performed in (b) and (c)" (paragraph 49 lines 3-7 & Figure 3 item 192) [The image is referred to as a SmartIcon 192 and is a real time alert architecture that non-obtrusively notifies television viewers and PC users when there is a message or dialogue available for review.]. In addition to claims 21 & 23, Shulman also discloses a display capable of displaying graphical icons (Figure 1d item 192); a user input device that permits a user of the mobile terminal to

select one or more of the graphical icons displayed on the display (paragraph 52 lines 16-18).

It would have been obvious to one of ordinary skill in the art, having the teachings of Dowling and Shulman before him at the time the invention was made, to modify the geographical web browser that display links taught by Dowling to include the SmartIcon of Shulman, in order to obtain a geographical web browser that displays changing size icons.

One would have been motivated to make such a combination because it would be helpful in updating GPS information stored by downloading information from the internet or some other convenient and accessible network, and use the icon for notifications and communication where the user has control over the amount of interactivity of the icon would have been obtain, as taught by Shulman.

2. In regards to claims 2 & 3, Dowling in view of Shulman discloses the first and second context category comprises distances between the message sources and the first mobile terminal (col. 4 lines 42-49, Dowling). [if a geographical web browser according to the present invention is currently set to a "movies" Internet site, when the mobile unit passes into an area with several movie theaters, the passed packet will include a pointer to the associated movie theaters' web pages.]. The examiner interprets that when a mobile terminal in a geographical location where a movie theater is located, and if the preference is activated for movies then the message source in the near by area will send information relating to every type of movie theater within the

area. Also, the user has a plurality of item to choose from say Movie, advertisement, and even emergency alerts.

3. In regards to claims 4 & 6, Dowling in view of Shulman discloses from claim 1 of (e) comprises:

representing the groups in distinct sections of the display (paragraph 50 lines 1-4) [An aspect of the SmartIcon 192 can be similar to modern weather alert warnings or station identification icons, which are generally displayed in a corner of the television screen.]; and

wherein sizes of each of the icons within each group correspond to the sorting performed in (c) (paragraph 9 lines 11-17) [Intermittence levels determine what interval for the SmartIcon to intermittently persist, a transparency level determines opaqueness of the SmartIcon, and a size level determines the display size of the SmartIcon.].

4. In regards to claims 5 & 7, Dowling in view of Shulman states from claim 1 (e) further comprises:

representing in each group an icon that corresponds to a message having one or more characteristics that best match the second context category in a format that is enlarged in relation to other icons in the group (paragraph 50 lines 14-21) [For example, users may wish to receive sports related messages and requests, but not cooking or gardening. The display type (e.g., persistence, color, size) of the icons received is fully

configurable.]. The examiner interprets that an icon's size can be a characteristic, which demonstrates the importance of the message in relation to other icons being displayed on the screen.

5. In regards to claim 8, Dowling in view of Shulman discloses the first context category comprises an ordered list of tasks and each of the groups within the set of groups corresponds to one of the tasks (paragraph 50 lines 10-14) [For example, some users may wish to receive tornado warnings, but have no interest in community events. The content of the icons received is fully configurable as well.]. The examiner interprets that the first context category can have a variety of items within. The tornado warnings, and other weather items are a list in one of many context categories in the prior art, also the prior art discloses different types of alerts like fire, floods, and etc.

6. In regards to claim 9, Dowling in view of Shulman states (f) deleting the representation of a group when a corresponding task is completed (paragraph 11 lines 3-7) [When a displayed icon is not activated then it is determined if the icon has expired. When the icon expires the icon is no longer displayed and the sender of the icon is notified that the recipient icon has expired. When the icon is activated before the icon expires it is determined if the activation is a cancelled action.].

7. In regards to claim 10, Dowling in view of Shulman discloses (d) comprises extracting an icon from one of the plurality of messages (paragraph 10 lines 1-3)

[Another aspect of the present invention relates to generating an icon. A subscriber device receives notification and it is determined if an icon is to be displayed in response to the received notification.].

8. In regards to claim 11, Dowling in view of Shulman states in (b) and (c) at least some of the characteristics are extracted from the plurality of messages (paragraph 10 lines 8-14) [A SmartIcon is then generated from the retrieved preferences and it is determined if there is a message associated with the icon from the received notification. If there is no associated message, then the SmartIcon is displayed. However, when there is an associated message, the message is attached to the generated icon and then displayed.].

9. In regards to claim 12, Dowling in view of Shulman discloses in step (b) at least one of the context categories is set by the user of the first mobile terminal (Figure 3 paragraph 55 lines 1-5) [FIG. 3 illustrates a GUI 310 for configuring interactivity by adjusting notification level 320 settings.].

10. In regards to claim 13, Dowling in view of Shulman states the icons are displayed in a navigation bar formed along at least a portion of a bottom of the display (Figure 1d).

11. In regards to claim 14, Dowling in view of Shulman discloses the set of groups comprises two groups (paragraph 55 lines 2-4) [A notification level 320 is selected to determine configuration parameters associated with selected notification level 320 setting.].

12. In regards to claims 15, Dowling in view of Shulman states (f) deleting at least one of the icons after a predetermined time period, the icon deleted in step (f) corresponds to a message that has been time stamped with the predetermined time period (Figure 5 paragraph 62 lines 1-5) [FIG. 5 illustrates the steps for activating an icon upon display. If a generated displayed icon is not activated at step 504, then it is determined at step 508 if the icon has expired. When the icon expires at step 508, the icon is no longer displayed and the sender at step 512 of the icon is notified that the recipient icon has expired.]. The examiner interprets that when the icon expires, the expiration is caused when the time for display is up. The user has the preference to set the time for how long an icon should be displayed.

13. In regards to claim 17, Dowling in view of Shulman states the predetermined time period is selected by the user (Figure 3 item 335).

14. In regards to claims 18 & 19, Dowling in view of Shulman discloses one of the message sources comprises a second mobile terminal and one of the first and second context categories comprises information exchanged between the first mobile terminal and at least one additional mobile terminal (paragraph 13 lines 1-5) [yet another aspect of the present invention relates to a computer system for providing information to a user. A first computer is operatively coupled to a second computer, the first computer provides the second computer with information to be accessed by

a user of the second computer, the second computer includes a graphical user interface to facilitate the user accessing the information.]. The examiner interprets that second computer is another terminal that is connected to first terminal. Both terminals share information between each other, and have the ability to receive messages from the message source. They also may configure user preference within each other, if given permission by another terminal.

15. In regards to claim 20, Dowling in view of Shulman discloses one of the first and second context categories comprises voting results of votes received from the first mobile terminal and at least one additional mobile terminal (paragraph 13 lines 5-12 and Figure 3) [The system also includes an icon for use with the graphical user interface, the icon allows the user to configure the icon with respect to at least three of the following parameters: volume; blink rate; alert duration; display header; intermittence level; transparency; size; color and shape. The parameters vary as a function of the user configuration and the content of the information.]. The first terminal allows the second terminal accessing rights via a graphical user interface. The GUI of the user operating the second terminal as the ability to change the volume, blink rate, color, and shape. Also, if the user preference is accessed by the second terminal, then user of the second terminal in figure 3 item 320 also has access to context categories. This is another from of voting, and allowing the user of another terminal to change settings.

Art Unit: 2173

16. In regards to claim 22 & 24, Dowling in view of Shulman states a context category database storing context category values (paragraph 55 lines 17-19)

[SmartIcon 192 and a shape level 365 determines the SmartIcon 192 image/shape for display. These settings are stored in a database (not shown).].

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to O'Neal R Mistry whose telephone number is (571) 272-4052. The examiner can normally be reached on 9am - 6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W Cabeca can be reached on (571)272-4048. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


O'Neal Mistry
Assistant Patent Examiner
Art Unit 2173

Application/Control Number: 10/056,674

Page 18

Art Unit: 2173

o'neal.mistry@uspto.gov



RAYMOND J. BAYERL
PRIMARY EXAMINER
ART UNIT 2173